



Practitioner's Docket No. POKDAC-37

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Thomas M. Dacey

For (title): MODIFIED POKER CARD GAME

CERTIFICATION UNDER 37 C.F.R. 1.10

I hereby certify that this New Application and the documents referred to as attached therein are being deposited with the United States Postal Service on this date 9/9/03 in an envelope as "Express Mail Post Office to Addressee", mailing Label Number ER012047257US addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Joseph R. Birkner  
(person mailing paper)

Signature of person mailing paper

**1. Type of Application:** This new application is for an Original (nonprovisional).

**2. Benefit of Prior U.S. Application(s)** (35 U.S.C. 119(e), 120 or 121): Not Applicable.

**3. Papers Enclosed:**

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153( Design) Application:

13 Pages of specification

5 Pages of claims with 20 claims

7 Sheet(s) of formal drawing(s) with 13 FIG.(s)

B. Other Papers Enclosed

1 Page of Abstract

☒ Other  
Postcard

**4. Additional Papers Enclosed:**

☒ Information Disclosure Statement (37 C.F. R. 1.98)

☒ Form PTO-1449 (PTO/SB08)

☐ Citations

☒ Other  
Request & Certification Under 35 U.S.C. 122(b)(2)(B)(i) by applicant(s) Form PTO/SB/35

**5. Declaration or Oath:** Declaration, executed by inventor(s), is enclosed.

**6. Inventorship Statement:** The inventorship for all the claims in this application are the same.

**7. Language:** The language is English.

**8. Assignment:** An assignment of the invention to: Not Applicable; no assignee.

**9. Certified Copy:** Certified copy(ies) of application(s): Not Applicable.

**10. Small Entity Statement(s)**

Applicant(s) claim(s) small entity status and filing by a small entity under 37C.F.R. 1.9 and 1.27.

**11. Fee Calculation (37 C.F.R. 1.16)**

A. X Regular application

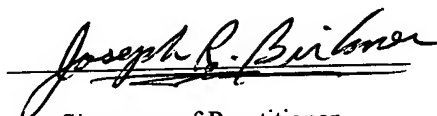
**CLAIMS AS FILED**

<u>Number filed</u>	<u>Number Extra</u>	<u>Rate</u>	<u>Small Entity Basic Fee</u> <u>37 C.F. R. 1.16(a)</u>
			\$375.00
Total Claims (37 C.F. R. 1.16(c))	20-20 = 0	x \$9.00	\$0.00
Independent Claims (37 C.F. R. 1.16(b))	3-3 = 0	x \$42.00	\$0.00
Multiple dependent claim(s), if any (37 C.F. R. 1.16(d))		+ \$140.00	\$0.00
<b>Small Entity Filing Fee Calculation</b>			<b><u>\$375.00</u></b>

**11. Fee Payment Being Made at this Time**

A check for the amount of \$375.00 is enclosed to cover the total small entity filing fee(s). There is no deposit account at this time.

**12. Instructions as to Overpayment:** Please refund any overpayment.

  
Signature of Practitioner

Joseph R. Birkner, M.E., Registered Patent Agent  
Registration No. 42,328

Customer Number:



**23341**

PATENT TRADEMARK OFFICE

**Statement Where No further Pages Added:**

This transmittal ends with this page.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor Dacey, Thomas M.

Title Modified Poker Card Game

Atty Docket Number POKDAC-37

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

9-9-03

Date

Thomas M. Dacey

Signature

Thomas M. Dacey

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.